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RAJYA SABHA

The following Bill was introduced in the Rajya Sabha on the 9th December, 1963:—

BILL No. XL OF 1963

A Bill further to amend the Indian Railways Act, 1890.

BE it enacted by Parliament in the Fourteenth Year of the Republic of India as follows:—

1. This Act may be called the Indian Railways (Amendment) Act, 1963. Short title.

9 of 1890.

2. In section 66 of the Indian Railways Act, 1890 (hereinafter referred to as the principal Act), in sub-section (1), after the words “be supplied with a ticket”, the words “by a railway servant or an agent authorised by the railway administration in this behalf” shall be inserted. Amendment of section 66.

3. For section 70 of the principal Act, the following section shall be substituted, namely:— Substitution of new section for section 70.

“70. A ticket against which reservation of a seat or berth has been made, or a return ticket or season ticket, shall not be transferable and may be used only by the person for whose journey to and from the places specified thereon it was issued: Prohibition against transfer of certain tickets.

Provided that nothing herein shall prevent mutual transfer of seats or berths reserved against proper tickets by passengers travelling by the same train.”.

4. For section 114 of the principal Act, the following section shall be substituted, namely:— Substitution of new section for section 114.

“114. (1) If a person, not being a railway servant or an agent authorised by the railway administration in this behalf,— Penalty or transfer of tickets.

(a) sells or attempts to sell any ticket or any half of a return ticket, or

(b) parts or attempts to part with the possession of a ticket against which reservation of a seat or berth has been made, or any half of a return ticket, or a season ticket,

in order to enable any other person to travel therewith, he shall be punishable with imprisonment for a term which may extend to three months, or with fine which may extend to two hundred and fifty rupees, or with both, and shall also forfeit the fare which he may have paid and the ticket which he may have sold or attempted to sell.

(2) If a person purchases any ticket referred to in clause (a) of sub-section (1), or obtains the possession of any ticket referred to in clause (b) of that sub-section from any other person, not being a railway servant or an agent authorised by the railway administration in this behalf, he shall be punishable with imprisonment for a term which may extend to three months, or with fine which may extend to two hundred and fifty rupees, or with both, and if the purchaser or holder of any ticket aforesaid travels or attempts to travel therewith, he shall forfeit the ticket which he may have purchased or obtained and shall be deemed to be travelling without having a proper ticket with him, and shall be liable to be dealt with under section 113."

STATEMENT OF OBJECTS AND REASONS

Several complaints have been received in recent years that in big cities, tickets for railway journeys are purchased and seats or berths are reserved in railway trains by persons other than *bona fide* passengers. Such tickets and reservations are subsequently transferred unauthorisedly to others for illegal consideration. Such malpractices, apart from causing great hardship and inconvenience to genuine passengers, have subjected the Railways to criticism.

2. The Indian Railways Act, 1890, does not contain any provision to deal with such malpractices. It is, therefore felt, in these circumstances, that in order to deal with these malpractices effectively, penal provisions for these malpractices, should be incorporated in the Indian Railways Act, 1890.

3. The present Bill seeks to achieve this object.

NEW DELHI;
The 18th November, 1963.

H C DASAPPA.

B. N. BANERJEE,
Secretary.

